

REMARKS

Claims 1, 3-8 and 10-14 are pending in the Application. Claims 1, 3-8 and 10-14 are rejected under 35 U.S.C. §103(a). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request that the Examiner reconsider and withdraw these rejections.

I. REJECTIONS UNDER 35 U.S.C. §103(a):

The Examiner has rejected claims 1, 3-8 and 10-14 under 35 U.S.C. §103(a) as being unpatentable over Takahashi (U.S. Patent No. 6,662,244) in view of Jacobsen et al. (6,073,034) and in further view of Novis et al. (U.S. Patent No. 5,867,795) (hereinafter "Novis"). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request the Examiner to reconsider and withdraw these rejections.

A. The Examiner has not provided any objective evidence or sufficient motivation for combining Takahashi with Jacobsen and Novis.

A *prima facie* showing of obviousness requires the Examiner to establish, *inter alia*, that the prior art references teach or suggest, either alone or in combination, all of the limitations of the claimed invention, and the Examiner must provide a motivation or suggestion to combine or modify the prior art reference to make the claimed inventions. M.P.E.P. §2142. The showings must be clear and particular and supported by objective evidence. *In re Lee*, 277 F.3d 1338, 1343, 61 U.S.P.Q.2d 1430, 1433-34 (Fed. Cir. 2002); *In re Kotzab*, 217 F.3d 1365, 1370, 55 U.S.P.Q.2d 1313, 1317 (Fed. Cir. 2000); *In re Dembiczak*, 50 U.S.P.Q.2d. 1614, 1617 (Fed. Cir. 1999). Broad conclusory statements regarding the teaching of multiple references, standing alone, are not evidence. *Id.*

The Examiner's motivation for modifying Takahashi with Jacobsen to have a communications device having a mode of operation to project information onto a reflective surface for viewing by the user, as recited in claim 1, is to "provide 'a visual display suitable for data, graphics or video' (Jacobsen, column 2, lines 30-31), and

'the cost and complexity of high resolution displays is significantly reduced' (Jacobsen, column 2, lines 14-15)." Paper No. 5, page 3. The Examiner's motivation is insufficient to support a *prima facie* case of obviousness for at least the reasons stated below.

The Examiner's motivation does not address as to why one of ordinary skill in the art with the primary reference (Takahashi) in front of him would have been motivated to modify Takahashi with the teachings of the secondary reference (Jacobsen). The Examiner's motivation appears to be motivation to solve the problem in Jacobsen but not motivation for modifying Takahashi to have a communications device having a mode of operation to project information onto a reflective surface for viewing by the user, as required to establish a *prima facie* case of obviousness. M.P.E.P. §2143. Jacobsen teaches that the cost and complexity of high resolution displays is significantly reduced by fabricating multiple integrated displays of reduced size on a single wafer and then dicing the wafer to produce a plurality of display devices. Column 2, lines 14-18. Jacobsen further teaches that displays are assembled with appropriate magnifying optics to form a portable display system of low cost and reduced size. Column 2, lines 19-21. Jacobsen further teaches that included in the optics is a magnification system which compensates for the small image size by magnifying and projecting the image at an appropriate distance for viewing. Column 2, lines 21-24. Jacobsen further teaches that the microdisplay can provide a visual display suitable for data, graphics or video. Column 2, lines 30-31. Hence, Jacobsen addresses the problem of high cost and complexity of high resolution displays. Jacobsen solves this problem by fabricating multiple integrated displays of reduced size on a single wafer and then dicing the wafer to produce a plurality of display devices. Further, these microdisplays are assembled with appropriate magnifying optics to compensate for the small image size by magnifying and projecting the image at an appropriate distance for view. Hence, the Examiner's motivation (to reduce cost and complexity) is directed to Jacobsen's problem. This, however, does not address as to why one of ordinary skill in the art would modify Takahashi to have a communications device having a mode of operation to project information onto a reflective surface for viewing by the user. The Examiner must

provide a suggestion or motivation, either in the references or in the knowledge generally available to one of ordinary skill in the art to modify Takahashi to have a communications device having a mode of operation to project information onto a reflective surface for viewing by the user. M.P.E.P. §2143. As the Examiner has not provided such motivation, but instead relies upon his own subjective opinion, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 1 and 3-7. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002); M.P.E.P. §2143.

Further, the Examiner's motivation for modifying Takahashi and Jacobsen with Novis to have a communications device having a mode of operation to project information onto a reflective surface at a size larger than when the information is displayed for direct viewing by the user, as recited in claim 1, is to "provide 'a portable electronic device including a visual image display' (Novis, column 2, lines 30-31)." Paper No. 5, page 4. The Examiner's motivation is insufficient to support a *prima facie* case of obviousness for at least the reasons stated below.

The Examiner's motivation does not address as to why one of ordinary skill in the art with the primary reference (Takahashi) in front of him would have been motivated to modify Takahashi with the teachings of the secondary references (Jacobsen and Novis). The Examiner's motivation appears to be motivation to solve the problem in Novis but not motivation for modifying Takahashi to have a communications device having a mode of operation to project information onto a reflective surface at a size larger than when the information is displayed for direct viewing by the user, as required to establish a *prima facie* case of obviousness. M.P.E.P. §2143. Novis teaches that the problems presented in the Background section of Novis and others are at least partially solved and that the purposes presented in the Background section of Novis and others are realized in a portable electronic device including a visual image display. Column 2, lines 29-31. Hence, the passage cited by the Examiner in Novis specifically states that the motivation cited by the Examiner is directed to solving the problem of Novis. This, however, does not address as to why one of ordinary skill in the art would modify Takahashi to have a communications device having a mode of operation to project information onto a reflective surface at a size larger than when the information is displayed for

direct viewing by the user. The Examiner must provide a suggestion or motivation, either in the references or in the knowledge generally available to one of ordinary skill in the art to modify Takahashi to have a communications device having a mode of operation to project information onto a reflective surface at a size larger than when the information is displayed for direct viewing by the user. M.P.E.P. §2143. As the Examiner has not provided such motivation, but instead relies upon his own subjective opinion, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 1 and 3-7. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002); M.P.E.P. §2143.

Further, the Examiner's motivation for modifying Takahashi with Jacobsen to have a reflective surface attached to the main body, as recited in claim 8, is to "provide 'a visual display suitable for data, graphics or video' (Jacobsen, column 2, lines 30-31), and 'the cost and complexity of high resolution displays is significantly reduced' (Jacobsen, column 2, lines 14-15)." Paper No. 5, page 5. The Examiner's motivation is insufficient to support a *prima facie* case of obviousness for at least the reasons stated below.

The Examiner's motivation does not address as to why one of ordinary skill in the art with the primary reference (Takahashi) in front of him would have been motivated to modify Takahashi with the teachings of the secondary reference (Jacobsen). The Examiner's motivation appears to be motivation to solve the problem in Jacobsen but not motivation for modifying Takahashi to have a communications device having a mode of operation to project information onto a reflective surface for viewing by the user, as required to establish a *prima facie* case of obviousness. M.P.E.P. §2143. Jacobsen teaches that the cost and complexity of high resolution displays is significantly reduced by fabricating multiple integrated displays of reduced size on a single wafer and then dicing the wafer to produce a plurality of display devices. Column 2, lines 14-18. Jacobsen further teaches that displays are assembled with appropriate magnifying optics to form a portable display system of low cost and reduced size. Column 2, lines 19-21. Jacobsen further teaches that included in the optics is a magnification system which compensates for the small image size by magnifying and projecting the image at an appropriate distance for

viewing. Column 2, lines 21-24. Jacobsen further teaches that the microdisplay can provide a visual display suitable for data, graphics or video. Column 2, lines 30-31. Hence, Jacobsen addresses the problem of high cost and complexity of high resolution displays. Jacobsen solves this problem by fabricating multiple integrated displays of reduced size on a single wafer and then dicing the wafer to produce a plurality of display devices. Further, these microdisplays are assembled with appropriate magnifying optics to compensate for the small image size by magnifying and projecting the image at an appropriate distance for view. Hence, the Examiner's motivation (to reduce cost and complexity) is directed to Jacobsen's problem. This, however, does not address as to why one of ordinary skill in the art would modify Takahashi to have a reflective surface attached to the main body. The Examiner must provide a suggestion or motivation, either in the references or in the knowledge generally available to one of ordinary skill in the art to modify Takahashi to have a reflective surface attached to the main body. M.P.E.P. §2143. As the Examiner has not provided such motivation, but instead relies upon his own subjective opinion, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 8 and 10-12. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002); M.P.E.P. §2143.

Further, the Examiner's motivation for modifying Takahashi and Jacobsen with Novis to have a reflective surface attached to the main body for reflecting images projected by the display when the cover is in an open position with respect to the main body, as recited in claim 8, is to "provide 'a portable electronic device including a visual image display' (Novis, column 2, lines 30-31)." Paper No. 5, page 6. The Examiner's motivation is insufficient to support a *prima facie* case of obviousness for at least the reasons stated below.

The Examiner's motivation does not address as to why one of ordinary skill in the art with the primary reference (Takahashi) in front of him would have been motivated to modify Takahashi with the teachings of the secondary references (Jacobsen and Novis). The Examiner's motivation appears to be motivation to solve the problem in Novis but not motivation for modifying Takahashi to have a communications device having a mode of operation to project information onto a reflective surface at a size larger than when the information is displayed for direct

viewing by the user, as required to establish a *prima facie* case of obviousness. M.P.E.P. §2143. Novis teaches that the problems presented in the Background section of Novis and others are at least partially solved and that the purposes presented in the Background section of Novis and others are realized in a portable electronic device including a visual image display. Column 2, lines 29-31. Hence, the passage cited by the Examiner in Novis specifically states that the motivation cited by the Examiner is directed to solving the problem of Novis. This, however, does not address as to why one of ordinary skill in the art would modify Takahashi to have a reflective surface attached to the main body for reflecting images projected by the display when the cover is in an open position with respect to the main body. The Examiner must provide a suggestion or motivation, either in the references or in the knowledge generally available to one of ordinary skill in the art to modify Takahashi to have a reflective surface attached to the main body for reflecting images projected by the display when the cover is in an open position with respect to the main body. M.P.E.P. §2143. As the Examiner has not provided such motivation, but instead relies upon his own subjective opinion, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 8 and 10-12. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002); M.P.E.P. §2143.

Applicants note that the Examiner has not addressed the limitations of claim 13 and therefore are unsure what limitations in claim 13 are allegedly taught by what reference. Furthermore, the Examiner has not specifically stated what limitation(s) in claim 13 is not taught by Takahashi and has not provided the motivation to modify Takahashi to include such missing limitation(s). Since the Examiner has not addressed the limitations of claim 13, the Examiner has not met his burden of establishing a *prima facie* case of obviousness in rejecting claims 13 and 14. M.P.E.P. §2142-2143.

As a result of the foregoing, Applicants respectfully assert that the Examiner has not presented a *prima facie* case of obviousness for rejecting claims 1, 3-7, 8 and 10-14. M.P.E.P. §2143.

B. Takahashi, Jacobsen and Novis, taken singly or in combination, do not teach or suggest the following limitations.

Applicants respectfully assert that Takahashi, Jacobsen and Novis, taken singly or in combination, do not teach or suggest "where in the second mode of operation the display built into the device projects information onto a reflective surface for viewing by the user" as recited in claim 1. The Examiner cites Figures 3 and 4 as teaching a first and a second mode of operation, respectively. Paper No. 5, page 2. The Examiner cites column 4, lines 5-11 of Takahashi as teaching a second mode of operation where the display built into the device projects the information viewable by the user. Paper No. 5, page 3. The Examiner further cites column 15, lines 50-64 of Jacobsen as teaching a reflective surface. Paper No. 5, page 3. Applicants respectfully traverse.

Takahashi instead teaches that the display section on the first main surface comprises a rectangular liquid crystal display unit. Column 4, lines 5-6. Takahashi further teaches that the display section shows the telephone number of the other end of the line when a user is talking through the telephone set, the sequence input by the user or the current time and/or the current condition of radio-wave propagation when the portable telephone set is not in use. Column 4, lines 6-11. However, the display section does not project information on any surface. There is no projection but instead the display section, as taught in Takahashi, simply displays information. Thus, Takahashi does not teach projecting information viewable by the user as asserted by the Examiner.

Furthermore, Jacobsen teaches a hand-held rear projection system using a micro display (see element 334 in Figure 15B). Column 15, lines 50-52. Jacobsen does not teach a display projecting information. Neither does Jacobsen teach a display projecting information onto a reflective surface. Thus, Jacobsen does not teach a display projecting information onto a reflective surface as asserted by the Examiner.

Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 1, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Takahashi, Jacobsen and Novis, taken singly or in combination, do not teach or suggest "a cover hingably attached to the main body, wherein the display is viewable by a user through an opening in the cover when the cover is in a closed position with respect to the main body" as recited in claim 8. The Examiner cites Figure 4 and column 4, lines 58, 62-67 of Takahashi as teaching the above-cited claim limitation. Paper No. 5, pages 4-5. Applicants respectfully traverse and assert that Takahashi instead teaches that in the closed state of the portable telephone set (element 1 in Figure 9), the input/display section (element 11 in Figure 9) no longer operates as an input unit and becomes transparent because the power supply to the transmission type LCD is suspended. Column 4, lines 58-62. Takahashi further teaches that in the closed state of the portable telephone set, since the input/display section (element 11 in Figure 9) becomes transparent and is located at a position suitable for the user to see the information displayed on the display section therethrough, the information displayed on the display section is clearly visible to the user. Column 4, lines 62-67. Hence, Takahashi teaches that when the telephone set is in the closed position, a user can view the display since the input/display section becomes transparent. There is not, however, an opening in the cover that allows the user to view the display. Instead, Takahashi teaches an input/display section that becomes transparent. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 8, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Takahashi, Jacobsen and Novis, taken singly or in combination, do not teach or suggest "a personal communications device comprising....a reflective surface attached to the main body" as recited in claim 8. The Examiner cites Figures 15A-C and column 15, lines 50-64 of Jacobsen as teaching the above-cited claim limitation. Paper No. 5, page 5. Applicants

respectfully traverse and assert that Jacobsen instead teaches a hand-held rear projection system using a micro display (see element 334 in Figure 15B). Column 15, lines 50-52. Jacobsen does not teach a communications device including a reflective surface attached to the main body of the communications device. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 8, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Takahashi, Jacobsen and Novis, taken singly or in combination, do not teach or suggest "a personal communication device comprising a dual mode display for a user's viewing in both a direct-view mode, wherein sufficiently-size characters are displayed in a manner visible to the user without further magnification, and in 'projection-view' mode, wherein more content can be displayed over that of the direct-view mode" as recited in claim 13. The Examiner asserts that Takahashi, Jacobsen and Novis, taken in combination, teach the above-cited claim limitations but does not cite to any passage in either Takahashi, Jacobsen or Novis. The Examiner is reminded that in order to establish a *prima facie* case of obviousness, the Examiner must provide a reference (or references when combined) that teaches or suggests all of the claim limitations. M.P.E.P. §2142. The Examiner cannot rely on his own subjective opinion but must provide objective evidence, which includes citations to particular passages in Takahashi, Jacobsen or Novis, in order to establish a *prima facie* case of obviousness. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Since the Examiner has not provided any evidence that Takahashi, Jacobsen and Novis, taken in combination, teach the above-cited claim limitations, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 13. *Id.*

Claims 3-7, 10-12 and 14 each recite combinations of features including the above combinations, and thus are patentable for at least the above-stated reasons. Claims 3-7, 10-12 and 14 recite additional features which, in combination with the features of the claims upon which they depend, are patentable over Takahashi in view of Jacobsen and in further view of Novis.

For example, Takahashi, Jacobsen and Novis, taken singly or in combination, do not teach or suggest "wherein the information projected onto the reflective surface appears as if it were being displayed by a display device larger than the display" as recited in claim 3. The Examiner asserts that Takahashi, Jacobsen and Novis, taken in combination, teach the above-cited claim limitation but does not cite to any passage in either Takahashi, Jacobsen or Novis. The Examiner is reminded that in order to establish a *prima facie* case of obviousness, the Examiner must provide a reference (or references when combined) that teaches or suggests all of the claim limitations. M.P.E.P. §2142. The Examiner cannot rely on his own subjective opinion but must provide objective evidence, which includes citations to particular passages in Takahashi, Jacobsen or Novis, in order to establish a *prima facie* case of obviousness. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Since the Examiner has not provided any evidence that Takahashi, Jacobsen and Novis, taken in combination, teach the above-cited claim limitation, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 3. *Id.*

Applicants further assert that Takahashi, Jacobsen and Novis, taken singly or in combination, do not teach or suggest "an input device that permits input by the user when in either the first or second modes of operation" as recite in claim 6. The Examiner asserts that Takahashi, Jacobsen and Novis, taken in combination, teach the above-cited claim limitation but does not cite to any passage in either Takahashi, Jacobsen or Novis. The Examiner is reminded that in order to establish a *prima facie* case of obviousness, the Examiner must provide a reference (or references when combined) that teaches or suggests all of the claim limitations. M.P.E.P. §2142. The Examiner cannot rely on his own subjective opinion but must provide objective evidence, which includes citations to particular passages in Takahashi, Jacobsen or Novis, in order to establish a *prima facie* case of obviousness. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Since the Examiner has not provided any evidence that Takahashi, Jacobsen and Novis, taken in combination, teach the above-cited claim limitation, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 6. *Id.*

Furthermore, Takahashi teaches that the input/display (element 11 in Figure 9) operates differently when the portable telephone set (element 1 in Figure 9) is in the open state and when the latter is in the closed state. Column 4, lines 32-34. Takahashi further teaches that in the open state of the portable telephone set, the input/display section (element 11 in Figure 9) can operate as an input unit. Column 4, lines 40-42. Takahashi further teaches that in the closed state of the portable telephone set, the input/display section (element 11 in Figure 9) no longer operates as an input unit and becomes transparent because the power supply to the transmission type LCD is suspended. Column 4, lines 58-62. Hence, the input/display section (element 11 in Figure 9), as taught in Takahashi, does not permit input by the user when in either the open or closed state of the portable telephone set. The input/display section (element 11 in Figure 9), as taught in Takahashi, only permits input by the user when in the open state of the portable telephone set. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 6, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Takahashi, Jacobsen and Novis, taken singly or in combination, do not teach or suggest "wherein the reflective surface and the display are both hingably attached to the main body and are hinged to open positions for projection of the images from the display to the reflective surface" as recite in claim 10. The Examiner asserts that Takahashi, Jacobsen and Novis, taken in combination, teach the above-cited claim limitation but does not cite to any passage in either Takahashi, Jacobsen or Novis. The Examiner is reminded that in order to establish a *prima facie* case of obviousness, the Examiner must provide a reference (or references when combined) that teaches or suggests all of the claim limitations. M.P.E.P. §2142. The Examiner cannot rely on his own subjective opinion but must provide objective evidence, which includes citations to particular passages in Takahashi, Jacobsen or Novis, in order to establish a *prima facie* case of obviousness. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Since the Examiner has not provided any evidence that Takahashi, Jacobsen and Novis, taken in combination,

teach the above-cited claim limitation, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 10. *Id.*

Furthermore, as stated above, Jacobsen teaches a hand-held rear projection system using a micro display (see element 334 in Figure 15B). Column 15, lines 50-52. Jacobsen does not teach a reflective surface in a communications device. Neither does Jacobsen teach a reflective surface in a communications device that is hingably attached to a main body. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 10, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Furthermore, the Examiner has not provided any motivation for modifying Takahashi for having a reflective surface hingably attached to the main body and hinged to an open position for projection of the images from the display to the reflective surface, as recited in claim 10. In order to establish a *prima facie* case of obviousness, the Examiner must provide a motivation to modify Takahashi as indicated above. M.P.E.P. §2142. The Examiner has not provided any such motivation but instead relies upon his own subjective opinion which is insufficient to establish a *prima facie* case of obviousness. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Consequently, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 10. *Id.*

Applicants further assert that Takahashi, Jacobsen and Novis, taken singly or in combination, do not teach or suggest "wherein the images are rotated 90 degrees when projected onto the reflective surface from an orientation when displayed by the display when it is in a closed position" as recited in claim 11. The Examiner cites column 8, lines 60-67 of Novis as teaching the above-cited claim limitation. Paper No. 5, page 6. Applicants respectfully traverse.

Novis instead teaches that a reflecting surface is disposed, with respect to a field flattening light inlet and a light outlet, to fold or bend light passing through a first optical element at an angle between approximately 80° and 100°. Column 8,

lines 60-63. Novis further teaches that light is reflected at an angle of approximately 95°. Column 8, lines 64-65. Novis further teaches that it has been found that an angle of 95° avoids vignetting on the lower part of the image at the outlet of a single fold optical magnifier. Column 8, lines 65-67. Hence, Novis teaches bending light, such as at an angle of 95°, to avoid vignetting on the lower part of the image. The Examiner has not provided any basis in fact and/or technical reasoning to support the asserting that reflecting light at an angle between approximately 80° and 100° to avoid vignetting is the same as rotating an image. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). That is, the Examiner must provide extrinsic evidence that must make clear that reflecting light at an angle between approximately 80° and 100° to avoid vignetting is the same as rotating an image, and that it be so recognized for persons of ordinary skill. *In re Robertson*, 169 F.3d 743, 745, 49 U.S.P.Q.2d 1949, 1950-51 (Fed. Cir. 1999). Consequently, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 11. M.P.E.P. §2143.

Furthermore, the Examiner has not provided any motivation for modifying Takahashi to rotate images 90 degrees when projected onto the reflective surface from an orientation when displayed by the display when it is in a closed position, as recited in claim 11. In order to establish a *prima facie* case of obviousness, the Examiner must provide a motivation to modify Takahashi as indicated above. M.P.E.P. §2142. The Examiner has not provided any such motivation but instead relies upon his own subjective opinion which is insufficient to establish a *prima facie* case of obviousness. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Consequently, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 11. *Id.*

Applicants further assert that Takahashi, Jacobsen and Novis, taken singly or in combination, do not teach or suggest "an input device for moving and selecting items displayed on the display by the user" as recited in claim 12. The Examiner asserts that Takahashi, Jacobsen and Novis, taken in combination, teach the above-cited claim limitation but does not cite to any passage in either Takahashi, Jacobsen

or Novis. The Examiner is reminded that in order to establish a *prima facie* case of obviousness, the Examiner must provide a reference (or references when combined) that teaches or suggests all of the claim limitations. M.P.E.P. §2142. The Examiner cannot rely on his own subjective opinion but must provide objective evidence, which includes citations to particular passages in Takahashi, Jacobsen or Novis, in order to establish a *prima facie* case of obviousness. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Since the Examiner has not provided any evidence that Takahashi, Jacobsen and Novis, taken in combination, teach the above-cited claim limitation, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 12. *Id.*

Applicants further assert that Takahashi, Jacobsen and Novis, taken singly or in combination, do not teach or suggest "a tri-mode display for a user's viewing in both an open direct-view mode, wherein sufficiently-sized characters are displayed in a manner visible to the user without further magnification when a lid is in an open position, a closed direct-view mode, wherein sufficiently-sized characters are displayed in a manner visible to the user without further magnification when the lid is in a closed position, and in 'projection-view' mode, wherein more content can be displayed over that of direct-view mode" as recited in claim 14. The Examiner asserts that Takahashi, Jacobsen and Novis, taken in combination, teach the above-cited claim limitation but does not cite to any passage in either Takahashi, Jacobsen or Novis. The Examiner is reminded that in order to establish a *prima facie* case of obviousness, the Examiner must provide a reference (or references when combined) that teaches or suggests all of the claim limitations. M.P.E.P. §2142. The Examiner cannot rely on his own subjective opinion but must provide objective evidence, which includes citations to particular passages in Takahashi, Jacobsen or Novis, in order to establish a *prima facie* case of obviousness. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Since the Examiner has not provided any evidence that Takahashi, Jacobsen and Novis, taken in combination, teach the above-cited claim limitation, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 14. *Id.*

As a result of the foregoing, Applicants respectfully assert that there are numerous claim limitations not taught or suggested in the cited prior art, and thus the Examiner has not presented a *prima facie* case of obviousness for rejecting claims 1, 3-8 and 10-14. M.P.E.P. §2143.

II. CONCLUSION

As a result of the foregoing, it is asserted by Applicants that claims 1, 3-8 and 10-14 in the Application are in condition for allowance, and Applicants respectfully request an allowance of such claims. Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

Respectfully submitted,

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